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# **Notice of Allowability**

Application No.

10/800,307

Examiner

Yolanda L. Wilson

Applicant(s)

MATENA ET AL.

Art Unit

2113

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after-final received on 08/20/2007.
2. ☒ The allowed claim(s) is/are 3,7-34,114 and 115.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 3,7-34,114,115 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The primary reason for the allowance of claim 7 is the inclusion of the following limitations: 'a first application controller configured to manage applications according to an execution model thin is different from the execution model of the applications managed by a second application controller'.

The primary reason for the allowance of claim 8 is the inclusion of the following limitations: 'a first application controller configured to manage applications according to an execution model thin is different from the execution model of the applications managed by a second application controller'.

The primary reason for the allowance of claim 9 is the inclusion of the following limitations: 'a first application controller configured to manage applications according to an execution model thin is different from the execution model of the applications managed by a second application controller'.

The primary reason for the allowance of claims 10-11 is the inclusion of the following limitations: 'a first application controller configured to manage applications according to an execution model thin is different from the execution model of the applications managed by a second application controller, wherein at least one application controller includes logic configured to request the execution controller to start a process'.

The primary reason for the allowance of claim 12 is the inclusion of the following limitations: 'a first application controller configured to manage applications according to an execution model thin is different from the execution model of the applications managed by a second application controller, wherein the execution controller includes logic configured to request the node controller to start a process'.

The primary reason for the allowance of claims 19 is the inclusion of the following limitations: 'a first application controller configured to manage applications according to an execution model thin is different from the execution model of the applications managed by a second application controller'.

The primary reason for the allowance of claims 21-28 is the inclusion of the following limitations: 'a first application controller configured to manage applications according to an execution model that is different from the execution model of the applications managed by a second application controller; and at least one application controller includes distribution management logic to use distribution policy information as input and to output distribution information based on the distribution policy information'.

The primary reason for the allowance of claims 29-33 is the inclusion of the following limitations: 'a first application controller configured to manage applications according to an execution model thin is different from the execution model of the applications managed by a second application controller, wherein a first application controller is configured to create container processes only on a first node group'.

The primary reason for the allowance of claims 34 is the inclusion of the following limitations: 'a first application controller configured to manage applications according to an execution model thin is different from the execution model of the applications managed by a second application controller'.

The primary reason for the allowance of claim 114 is the inclusion of the following limitations: 'starting a plurality of application controllers module wherein each application controller module manages at least one application according to an execution model, and a first application controller module manages applications according to an execution model that is different from the execution model of the applications managed by a second application controller module'.

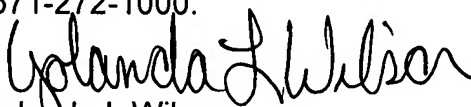
The primary reason for the allowance of claim 115 is the inclusion of the following limitations: 'one application according to an execution model, to initiate the creation of a container process and to use distribution policy information as input in order to generate distribution information output; and a first application controller configured to manage applications according to an execution model that is different from the execution model of the applications managed by a second application controller'.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yolanda L. Wilson whose telephone number is (571) 272-3653. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Yolanda L Wilson  
Primary Examiner  
Art Unit 2113